

## REMARKS

Claims 39, 41 and 43 - 50 are pending.

Claim 41 is again objected to because the phrase “data carrier” is “repugnant to the usual meaning of the term.” Applicant respectfully disagrees.

In his commentary regarding the noted objection, the examiner states: “[n]ote that the term ‘carrier’ is defined by Microsoft Dictionary as ‘In communications, a specified frequency that can be modulated to convey information’.” Since applicant is not using “carrier” in this way, the examiner concludes that the term is not being properly used. But the Microsoft Dictionary is by no means the only source for determining the meaning of the phrase “data carrier.” For example, Google indicates that there are 4,730,000 hits for “data carrier” and surely most of these are not used to express a condition in wave theory as suggested by the examiner. In the American Heritage Dictionary, investigated on-line, there appears the following definition: “A medium, such as magnetic tape, that is selected to record and often transport or communicate data.” Then in the Computer Dictionary, Third Edition, by Charles J. Sippl and Roger J. Sippl on page 128 there appears the following definition: “The selected medium used to transport or carry (communicate) data....Punched cards, magnetic tapes, and punched paper tapes are examples....” Note that a reference to a carrier wave is not included.

It is not clear why the examiner insists on applying wave theory to an application where wave theory is not mentioned or intended.

It is respectfully submitted that the phrase “data carrier” is proper as use in this application so that the noted objection should be withdrawn.


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**Data carrier**

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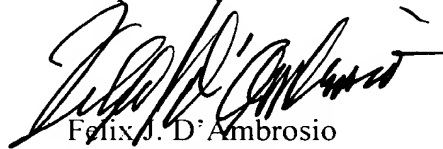
**Data Carriers**

The examiner rejects claims 39, 41 and 43 - 50 as unpatentable under 35 USC 103(a) over Banks in view of Perry. This rejection is respectfully traversed.

Banks does relate to simulation, and the examiner states: "Note that models must be storable in a memory at another location in order to be portable." But this does not mean that a "central control unit" is provided as is recited in claim 49. This distinction is enough to avoid a rejection under 35 USC 103. And Perry adds nothing, it is respectfully submitted, to the teaching of Banks to render 35 USC 103 applicable.

The examiner is urged to consider the above when once again examining this application and find claims 39, 41 and 43 - 50 allowable.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Felix J. D' Ambrosio", written over the printed name.

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November 2, 2004

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data carrier

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A medium, such as magnetic tape, that is selected to record and often transport or communicate data.

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Source: *The American Heritage® Dictionary of the English Language, Fourth Edition*

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# **Computer Dictionary**

Third Edition

By Charles J. Sippl  
And Roger J. Sippl

#### **data capture, direct**

**data capture, direct** — A technique employed in cash registers or on sales slips whereby customer account numbers, the amount of the purchase, and other information are automatically recorded, read by an optical reading device, and sent to the computer to be processed. Its use permits the generation of more timely and accurate transaction data.

**data capture, POS** — A method employed by point-of-sales terminals whereby customer account numbers, the amount of the purchase, and other information are automatically recorded, and sent to the computer to be processed.

**data capture, speech synthesis** — Any method of using speech as a direct form of data input.

**data carrier** — The selected medium used to transport or carry (communicate) data or information. Punched cards, magnetic tapes, and punched paper tapes are examples. Most often data is easily transported independently of the devices used in reading or interpreting such data or information.

**data cell** — The smallest unit of data which cannot be further subdivided such as a magnetic bit.

**data chaining** — The gathering (or scattering) of information within one physical record, from (or to) more than one region of memory, by means of successive i/o commands.

**data channel** — The bidirectional data path between the i/o devices and the main memory in a digital computer that permits one or more i/o operations to happen concurrently with computation.

**data channel multiplexer** — The multiplexer option expands the data-break facilities of the computer to allow large numbers of input/output devices to transfer data directly with the main memory, via the memory buffer register. Simultaneous data-break requests are serviced by the multiplexer according to prewired priority.

**data chip (microprocessor chip set)** — The data chip, in some systems, contains the data paths, logic, arithmetic logic unit (ALU), processor status bits, and registers. On some systems, registers include general registers and an instruction register. The user's program has access to all registers and processor status (PS) bits. In some microprocessor chip sets, all instructions enter this chip

#### **data-collection system**

via the bus. Data and addresses to and from this type microprocessor are also transferred to and from the processor over the bus.

**data circuit, transmitted** — Signals on this circuit are originated by the data terminal equipment for transmission on the data communication channel. This circuit is not required for receive-only service.

**data-code conversion** — The translation of alphanumeric data into a form acceptable to the computer. This is usually done by the computer itself during the input of the data.

**data code, numeric** — A digital code used to represent numerals and some special characters.

**data collection** — The act of bringing data from one or more points to a central point.

**data collection and analysis** — Process data are collected by the P-C (processor-controller) for mathematical analysis. Current performance figures are compared with those obtained in the past, and the results are printed for process analysis and management evaluation.

**data collection, factory** — *See* data collection stations.

**data collection stations** — Devices installed on production floors which allow a company to collect detailed data about the time employees have worked on each job, for payroll purposes. When an employee starts or stops work on a job, he punches in or out at the nearest data collection station. His employee number, the job number, and the time are recorded on a punched paper tape in the machine to form computer-readable records of employee time by job.

**data-collection system** — This system gathers manufacturing information from electronic in-plant reporting stations and transmits it directly to the computer. The information is processed as it is received. Reports can be produced which indicate, for example, job cost or machine utilization. Information can enter the processor in several ways, including punched card, plastic badge, keyboard, or data cartridge. The latter logs production data on a pocket-sized recording device that the employee maintains at his work station.